

Part 21 Rulemaking Fact Sheet

Part 1 - Definitions and Abbreviations

- Added definition of “approved” and defined acronyms PMA and TSO.

Part 21 - Certification Procedures for Products, Articles, and Parts (New Title)

Subparts A-E

- Revised § 21.1, Applicability and definitions, to add definitions to the title, and to add definitions for airworthiness approval, article, commercial part, design approval, product, production approval, state of design, and state of manufacture.
- Amended § 21.3, Reporting of failures, malfunctions, and defects, to require that all Production Approval Holders (PAH), instead of just TSO authorization holders, report the results of their investigations into certain accident or service difficulty reports to the FAA.
- Added § 21.9, Replacement and modification articles, to combine into one paragraph as § 21.9(a) the previous §§ 21.303(a) and (b) from subpart K. Moving these sections allows us to limit subpart K to PMA only and also amends the relocated sections to strengthen our ability to take compliance and enforcement action against producers of unapproved parts.
- Added § 21.20, Compliance with applicable requirements, to require an applicant for a type certificate to provide a statement certifying that the applicant has complied with the applicable requirements.
- Revised § 21.47, Transferability, to require prior notification to the FAA before the transfer occurs.
- Revised § 21.50, Instructions for continued airworthiness and manufacturer’s maintenance manuals having airworthiness limitations sections, to add requirements for commercial parts.
- Revised § 21.97, Approval of major changes in type design, to require providing a certifying statement.

Subpart F - Production Under Type Certificate Only

- Added § 21.122, Location of or change to manufacturing facilities, to be consistent with subparts G, K, and O.
- Revised § 21.123, Production under type certificate, to be consistent with subparts G, K, and O.
- Removed requirements for an Approved Production Inspection System (APIS).

Subparts G, K, and O

- Standardized requirements, format, and language for subparts G, K, and O. The following table shows where the rule language is either identical to or substantially the same across the three production approval types.

	Subpart G Production Certificates	Subpart K Parts Manufacturer Approvals (New Title)	Subpart O Technical Standard Order Approvals
Applicability	§ 21.131	21.301	21.601
Application	§ 21.133	21.303	21.603
Organization	§ 21.135	21.305	21.605
Quality system	§ 21.137	21.307	21.607
Quality manual	§ 21.138	21.308	21.608
Location of or change to manufacturing facilities	§ 21.139	21.309	21.609
Inspections and tests	§ 21.140	21.310	21.610
Issuance	§ 21.141	21.311	21.611
Duration	§ 21.143	21.313	21.613
Transferability	§ 21.144	21.314	21.614
Responsibility of holder	§ 21.146	21.316	21.616
Changes in quality system	§ 21.150	21.320	21.620

- Major changes to PAHs and applicants include:
 - **Organization:** Provide the FAA with a document describing how the PAHs' organization will ensure compliance with the provisions of subparts G, K, and O.
 - **Quality system:** Each applicant and PAH is required to establish and describe, in writing, a quality system which ensures that each product and article conforms to its approved design and is in a condition for safe operation. The rule now contains 14 quality system elements for which procedures must be established.
 - **Quality manual:** Each applicant and PAH is required to provide a manual describing its quality system to the FAA for approval; it must be in the English language and retrievable in a form acceptable to the FAA.
 - **Location of or change to manufacturing facilities:** Requires approval from the FAA prior to making any changes to the location of any of its manufacturing facilities. In addition, the PAH is required to immediately notify the FAA, in writing, of any change to the manufacturing facilities that may affect the inspection, conformity, or airworthiness of its product or article.
 - **Responsibility of holder:** The PAH is now required to—
 - Maintain the document describing their organization;
 - Maintain the quality system in compliance with the approved data and procedures;
 - Ensure that each completed product or article conforms to its approved design and is in a condition for safe operation;
 - Mark their parts in accordance with part 45;
 - Identify any portion of the product or article that leaves the manufacturer's facility as FAA-approved;
 - Have access to type design data necessary to determine conformity and airworthiness for each product and article produced under the production certificate;
 - Retain each document granting their production approval and make it available to the FAA upon request; and
 - Make available to the FAA information regarding all delegation of authority to suppliers.
 - **Changes in quality system:** Each change to the quality system is subject to FAA review. In addition, PAHs are required to immediately notify the FAA, in writing, of any change that may affect the inspection, conformity, or airworthiness of its product or article.

Subpart L - Export Airworthiness Approvals

- Completely restructured this subpart to facilitate global acceptance and movement of products and articles by removing prescriptive requirements and eliminating the definitions and usage of Class I, II, and III products.
- Revised this subpart by moving non-regulatory requirements from the rule to policy.
- Removed requirement for used engines and propellers to be newly overhauled.
- FAA Form 8130-4, Export Certificate of Airworthiness, will be issued by the FAA only for aircraft.
- FAA Form 8130-3, Authorized Release Certificate, will be used to export engines, propellers, and articles.

Part 45 - Identification and Registration Marking

- Consolidated marking requirements from part 21 to part 45.
- Revised § 45.11 to allow allowing operators to locate the data plate near the entrance of the aircraft rather than on the exterior of the aircraft near the tail.
- Moved all marking requirements from part 21 to part 45.
- Removed § 45.14, Identification of critical components, and moved revised requirement to 45.15(c).
- Updated § 45.15, Marking Requirements for PMA Articles, TSO articles, and Critical Parts, to standardize and consolidate marking requirements for PMA articles, TSO articles, and critical parts.